

REMARKS

Claims 1-18 remain pending in the present application. Claims 1, 7, 10, 11 and 13 have been amended. Claims 14-18 are new. Basis for the amendments and new claims can be found throughout the specification, claims and drawings originally filed.

JP 5-58143

Applicants have amended the independent claims of the application and they are now believed to clearly distinguish over the disclosure of the JP 5-58143 reference. For the Examiner's convenience, a machine translation of the reference is enclosed.

INTERVIEW SUMMARY

Applicant's representative would like to thank Examiner Ford for the courtesies extended during the discussion of this amendment. In our discussion, we pointed out that we were amending the claims to define the two rotary doors as being in the same air stream. This is different than the JP 5-58143 Kagame reference which has each rotary door located in a separate air stream. The Examiner indicated that this approach appeared to distinguish over Kagame but an additional search would be conducted based on the amended claims.

REJECTION UNDER 35 U.S.C. § 112

Claim 7 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicants agree with the Examiner that Claim 7 should be

withdrawn from consideration at this time. Regarding the phrase “to opposite”, Claim 7 has been amended to overcome the rejection. Reconsideration of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 103

Claims 1, 6, 7 and 10-12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the combined teachings of Kageme (JP 5-58143) and Shibata (U.S. Pat. No. 6,261,172). Claim 1 has been amended to define “the first rotary door is disposed to open one of the defroster opening, the face opening and the foot opening while at least partially closing the other two of the defroster opening, the face opening and the foot opening and to close the one of the defroster opening, the face opening and the foot opening while opening the other two of the defroster opening, the face opening and the foot opening, and the second rotary door is disposed to open and close the other two of the defroster opening, the face opening and the foot opening”. Claim 11 has been amended to define “the first rotary door is disposed to open the foot opening while at least partially closing the defroster opening and the face opening and to close the foot opening while opening the defroster opening and the face opening, and the second rotary door is disposed to open and close the defroster opening and the face opening”. Both Claims 1 and 11 have been amended to also define “the first rotary door and the second rotary door are located along an air flow direction; and the second rotary door is located downstream from the first rotary door in the air flow direction.”

JP 5-58143 discloses one rotary door (12a, 12b) that opens and closes a foot opening (4a, 4b) and a second rotary door (13a, 13b) that opens and closes a face

opening (5) and a defrost opening (6). The opening and closing of the foot opening by door (12a, 12b) does not affect the opening and closing of the face and defroster openings as is defined in amended Claims 1 and 11. Also, the opening and closing of the face and defroster openings by door (13a, 13b) does not affect the opening and closing of the foot door as is defined in amended Claims 1 and 11. Finally, the two doors in JP 5-58143 are not located in an air flow direction with one door being located downstream of the other door as is defined in amended Claims 1 and 11. The two doors in JP 5-58143 are located in separate air streams as is illustrated in Figure 1.

Thus, Applicants believe Claims 1 and 11, as amended, patentably distinguish over the art of record. Likewise, Claims 6, 10 and 12, which ultimately depend from Claim 1 or Claim 11, are also believed to patentably distinguish over the art of record. Claim 7 should be withdrawn from consideration at this time. Reconsideration of the rejection is respectfully requested.

REJOINDER

Applicants respectfully request the rejoinder of withdrawn Claims 2-5, 7-9 and 13.

NEW CLAIMS

New Claims 14-18 are dependent claims which applicant believes properly further limit their respective base claim. Applicant believes Claims 14-18 read on the elected species.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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